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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

*

SUMMIT HABITATS, INC., A)
COLORADO CORPORATION,)
SANFORD M. TREAT, III, and)
KATHERINE TREAT, collectively)

CASE NO.: 2:12-cv-822-LRH-GWF

Plaintiffs,)
vs.)

GREGORY S. KAFFKA, and KAREN S.)
KAFFKA, inclusive,)

Defendants.)

FIRST AMENDED ORDER FOR EXAMINATION OF JUDGMENT DEBTOR

TO: KAREN S. KAFFKA, DEFENDANT

**THIS PLEADING IS A COMMUNICATION BEING MADE IN AN
EFFORT TO COLLECT A DEBT. ANY INFORMATION OBTAINED
INCIDENT HERETO WILL BE USED FOR THAT PURPOSE.**

It appearing to the Court that a Judgment was entered in favor of Plaintiffs, SUMMIT
HABITATS, INC., SANFORD M. TREAT, III and KATHERINE TREAT (hereinafter "Judgment
Creditors") and against Defendants GREGORY S. KAFFKA and KAREN S. KAFFKA (hereinafter
"Judgment Debtors") on February 13, 2012 in the principal amount of \$590,332.00, plus liquidated

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KB19934

1 damages in the amount of \$196,777.00, for a total judgment in the amount of \$787,109.00, with
2 interest accruing on this total judgment of \$2.80 per diem at the interest rate of .13% until paid in
3 full; and that the same remains unsatisfied; and whereas 28 U.S.C. Sec. 1963 provides for an
4 Examination of Judgment Debtor under such circumstances;

5
6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment Debtor KAREN
7 S. KAFFKA appear at the law offices of Alverson, Taylor, Mortensen & Sanders, located at 7401 W.
8 Charleston Blvd., Las Vegas, NV 89117 **on August 20, 2012 at the hour of 1:00 p.m.**, to be
9 examined under oath concerning any property which may be used to satisfy said Judgment; and
10 Judgment Debtor hereby is forbidden in the interim of disposing of any property not exempt from
11 execution.

12
13 IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that Judgment
14 Debtor shall produce at the time of the hearing the documents listed on **EXHIBIT "1"** attached
15 hereto and incorporated herein by this reference.

16
17 IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that a copy of this
18 Order shall be forthwith served upon said Judgment Debtor personally in the manner provided for by
19 law for the service of a Summons.

20
21 IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that the date and
22 time of the Judgment Debtor Examination may be continued at the Judgment Creditor's discretion so
23 as to accommodate any conflict of schedule which may arise.

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1 Failure to appear at the time and place of the scheduled Judgment Debtor Examination may
2 result in a Bench Warrant being issued for your arrest.

3 DATED this 6th day of July, 2012.

4
5 
6 GEORGE FOLEY, JR.
7 United States Magistrate Judge

8 Submitted by:

9 ALVERSON, TAYLOR,
10 MORTENSEN & SANDERS

11 
12 KURT R. BONDS, ESQ.
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16 7401 W. Charleston Boulevard
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18 Attorney for Plaintiffs

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EXHIBIT 1

EXHIBIT "1"**LIST OF DOCUMENTS AND THINGS TO BE PRODUCED AT JUDGMENT DEBTOR(S) EXAMINATION**

1. Copies of any and all documents regarding any and all real estate or other property owned by yourself, or which you have an interest in. The requested documents specifically include all Deeds, Deeds of Trust, Mortgage Applications, Closing Statement, coupon books, statements of account, credit reports, title insurance policies, and all other information in any way reflecting your involvement with, your ownership of, or your transactions in regards to real estate or other property owned by you or in which you have an interest.

2. Copies of any and all Lease(s) regarding any real estate or other property not owned by yourself but in which regular monthly lease payments are being made.

3. Income Tax returns and any quarter estimates of federal or state income taxes for four (4) years previous to the date of this Order.

4. Any and all bank statements and canceled from any and all checking accounts; savings accounts records; safe deposit boxes; and any certificates of stocks and bonds belonging to you or in which you have had any interest whatsoever either alone or jointly with any other person or entity for three (3) years previous to the date of this Order.

5. Copies of any and all life insurance policies now upon you life or naming you as beneficiary therein.

6. Any and all evidence of any and all notes; contracts; negotiable instrument; receivable or accounts receivable, whether due or not due, belonging to you or in which you have or have had any interest whatsoever either alone or jointly with any other person or entity for three (3) years previous to the date of this Order.

7. A list of all real property owned by you and if occupied by Tenants, please state the following:

- a. Tenant's names;
- b. Tenants' address;
- c. Amount of monthly rent.

8. All fire, burglary, and extended coverage insurance policies now in force upon any real estate or personal property (including copies of insurance inventories) owned by you or in which you have or have had any interest whatsoever either alone or jointly with any other person or entity for one (1) year previous to the date of this Order.

9. If employed, your employer's name; your salary; and your title or position with your employer.

10. Any and all information regarding any employment you have had during the last three (3) years, including but not limited to, employment contract, policy manuals, benefit handbooks, and pay-stubs regarding such employment, whether full-time, part-time, commissioned, or otherwise.

11. Your Social Security Card and Driver's License.

12. Any and all titles, bills of sales, or contracts of sale upon personal property including, but not limited to, automobiles, boats, household goods, miscellaneous furniture and fixtures belonging to you or in which you have had any interest whatsoever wither alone or jointly with any other person or entity for three (3) years previous to the date of this Order.

13. A complete inventory of all items of personal property owned by you of any nature whatsoever, including automobiles, boats, household fixtures, furnishing, appliances, and clothing, whether paid for or not. If the personal property is not in your possession and in the possession of another person or entity, designate the name and address of the person or entity having possession of said property.

14. All automobile and personal property casualty or collision or all risk insurance policies presently owned by you.

15. All evidence of mining claims, patents or development work owned by you or in which you have or have had any interest whatsoever, either alone or jointly with any other person or entity for three (3) years previous to the date of this Order.

16. All documents which represent any trademark, trade name, copyright, or patent in which you have or have had any interest.

17. All general ledgers, accounting journals, financial statements or other financial records prepared or maintained during the three (3) years previous to the date of this Order.

IF YOU ARE EMPLOYED BY, ACT AS AN AGENT FOR, OR ARE A PARTNER IN A BUSINESS ENTITY, THE PROPRIETOR OF A BUSINESS ENTITY, OWN MORE THAN 10% OF THE STOCK OF AN INCORPORATED BUSINESS ENTITY, OR HAVE BEEN AN OFFICER OR DIRECTOR OF A CORPORATION LIMITED LIABILITY COMPANY, OR OTHER BUSINESS ENTITY, WITHIN THE LAST THREE (3) YEARS, YOU ARE REQUIRED TO BRING WITH YOU (AS REGARDS SAID BUSINESS ENTITY(IES), THE FOLLOWING DOCUMENTS:

1. Copies of all corporate Articles, Minutes, By-Laws, Stock Transfer Ledgers and other "corporation" records.

2. Copies of any partnership or joint venture agreements and all correspondence related thereto.

3. Copies of all tax returns for said business entity(ies) filed within the last three (3) years.

4. Copies of any and all documents whereby you acquired or disposed of any interest in any business(es) within the last four (4) years.

5. Copies of any employment or consulting contract to which you or the business entity(ies) are a party.

1 6. ALL bank statements for all accounts on which you have been a signatory during the
2 last three (3) years.

3 7. All checks books with check stubs for the last three (3) years, and any and all general
4 ledgers or journals recordings the financial activity of such business(es).

5 8. Any savings accounts with you as a signatory.

6 9. Any notes owed to said business(es).

7 10. Copies of all accounts receivable documents, both current and for one (1) year
8 previous to the date of this Order.

9 11. Copies of any and all Lease regarding any real estate or other property not owned by
10 yourself or the business, but for which regular monthly lease payments are being made by yourself or
11 on behalf of the business(es).

12 12. A list of any and all vehicles owned by said business(es).

13 13. All general ledgers, accounting journals, financial statements or other financial
14 records prepared or maintained during the last three (3) years.

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